

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

No. 5:16-CR-47-H-1

UNITED STATES OF AMERICA,)
)
 v.)
)
REGINALD ALEXANDER STUBBS,)
)
 Defendant.)

ORDER

This matter is before the court on the Psychiatric Report from the Bureau of Prisons regarding Mr. Stubbs' competency and a request for an additional period of hospitalization.

By order filed October 26, 2017, defendant was found incompetent and committed to the custody of the Attorney General for hospitalization for treatment in a suitable facility as close as practicable to the court, for such a reasonable period of time, not to exceed four months, as is necessary to determine whether there is a substantial probability that in the foreseeable future he will attain the capacity to permit these proceedings to go forward. 18 U.S.C. § 4241(d).

Having received the report of the treating psychologist as well as an addendum opining that Mr. Stubbs currently suffers from an unclear medical or mental disease or defect, unspecified catatonia, which renders him incompetent to proceed, the treating psychologist, through the BOP, requests the court order an additional period of hospitalization for a reasonable period of

time to continue treatment to attempt to restore his competency to stand trial. Therefore, in accordance with 18 U.S.C. § 4241(d)(2), the court hereby orders defendant remain in the custody of the Attorney General for hospitalization for treatment at the Federal Medical Center at Butner for an additional period of four months.

It is further ordered that the hearing on any and all pending motions and arraignment in this case shall be CONTINUED pending a determination of defendant's mental competency to stand trial. Any delay that results from this continuance is excluded from Speedy Trial Act computation pursuant to 18 U.S.C. § 3161(h)(1)(A). Moreover, the court finds that the interests of justice served by this continuance outweigh the best interests of the public and defendant in a speedy trial and, therefore, any delay occasioned by this continuance is also excluded from Speedy Trial Act computation pursuant to 18 U.S.C. § 3161(h)(7)(A).

This 26TH day of March 2018.



Malcolm J. Howard
Senior United States District Judge

At Greenville, NC
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